

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERn DIVISION

F I L E D  
DEC 05 2024

DERRICK LEE CARDELLO-SMITH, #267009,  
Plaintiff,

CLERK'S OFFICE  
U.S. DISTRICT COURT  
EASTERN MICHIGAN

Vs

Case no 2:24-cv-12647

SEAN COMBS,  
Defendant,

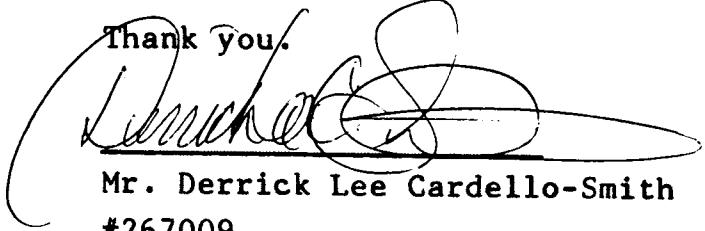
Hon. Judith Levy

PLAINTIFFS SUBMISSION OF INVESTIGATORS REPORT  
DETAILING WAYNE DETROIT POLICE DEPARTMENT SERGEANT DAVID COBB  
AND WAYNE COUNTY DETECTIVE PATRICIA PENMAN'S JOINT HIRING  
OF HITMAN VINCENT SMOOTHERS TO KILL THE PLAINTIFF AS PROOF OF  
DEFENDANTS EFFORTS TAKEN TO COVER-UP THE DEFENDANTS  
RAPE UPON THE PLAINTIFF BY DEFENDANT SEAN COMBS

Plaintiff Derrick Lee Cardello-Smith, hereby presents this office with a 4 page report from Respected and Well-Known Investigator Bill Proctor who conducted the Investigation This Year and His Conclusions with being interviewed that Defendants Wayne County Associates Kym Worthy, (Former Judge and Current Wayne County Prosecutor, David Cobb, Sergeant of the Detroit Police Department and Patricia Penman, Wayne County Detective all working to Kill this Plaintiff by the Contract Killer Vincent Smothers Own admissions, and Plaintiff presents this Investigator Report as proof that the Associates of the Defendant did in fact work to Kill and Silence this Plaintiff and cover up the Rape of this Plaintiff by Defendant--Read it for yourself and you be the Judge.

Please place this matter on the Courts Docket and record  
as PROOF OF GUILT.

Thank you.

  
Mr. Derrick Lee Cardello-Smith  
#267009  
E.C. Brooks Correctional Facility  
2500 S. Sheridan Drive  
Muskegon, MI 49444

12-2-24

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"Experienced investigators for your needs"

Investigators report: Derrick Lee Cardello-Smith # 267009—New Client visit

Muskegon Michigan, Tuesday 7-30-2024 @ 8:00 am, I arrived at the Ernest C. Brooks Correctional facility for scheduled visits with Smith, 51, and Vincent (Vito) Smothers # 295527. I was placed in a room where thick glass or clear plastic separated me from the prisoner I would speak to via phone. I met Mr. Smith around 8:30 am. Our meeting ended at 10:16 am. Smith was first sent to prison after the 1997 street fight that ended with one of three male assailants dead. The three had assaulted Smith and a date outside of a movie theater in Detroit. Smith killed the man with a knife that Smith took from the deceased. Smith is also held on multiple 1st degree sex assault convictions with sentences from 22 to 75 years. Smith claims that living witnesses, one of them an alleged victim, are alive and willing to support his innocence claim, and prove that the charges resulted in a conspiracy driven by his former girlfriend, a police officer who worked on the Wayne County Rape Kit Task Force.

I am meeting Mr. Smith for the first time since he retained me as a private investigator. He is pleasant, well spoken, respectful but intense concerning his claim that two police officers had conspired to have him (Mr. Smith) killed in 2007 in a murder-for-hire scheme. Mrs. Rose Cobb was the second person to be murdered by the same contract killer, Mr. Vincent Smothers. Smothers was sentenced to 50-to-100 years in July of 2010 in a structured plea deal conviction for the contract killing of eight people in Detroit, including Rose Cobb. Her husband, Detroit Police Sergeant David Cobb committed suicide just as investigators were closing in on charging him with paying Smothers to kill his wife. From that recorded history in the Wayne County justice system, the Smith story becomes more shocking.

Smith articulated the specific details of the sordid plot of another police officer from Dearborn, Patricia Penman, now 58. Smith provided me a paper-trail narrative, supported by court filings, pleadings to judges and prosecutors about his personal experiences with Cobb and Penman, how they, together, sought the services of Smith to kill Rose Cobb.

When Smith refused to accept Sgt. Cobbs demand that Smith kill his wife, Smith himself became the murder for hire target, but did not discover that fact until he met the contract killer hired to do the job, Vincent Smothers, now a fellow prisoner at Brooks Correctional.

The details, as explained to me by Smith in our meeting, span many years, beginning how he and Penman met at the Gibraltar Trade center in Mt. Clemens when he was 20. The following items are facts he presented in our meeting as my notes and memory support:

1. Smith and officer Patricia Penman dated, even lived together for a few years. Smith says when she became possessive, smothering, demanding of his time, he broke off the relationship. He says she vowed to "get him" and prevent him from dating any woman, ever.
2. While free on an appeal, Sgt. Cobb proposed to Smith a contract to kill his wife for a fee. When Smith refused, there was a physical confrontation where Smith took Cobbs side arm and fired it into Cobbs vest.
3. Cobb then approached Vincent Smothers in the fall of 2007, but the hit list is expanded when Cobb introduced Patricia Penman to Smothers. Penman wants Smith killed as well.
4. In a meeting, Smothers says, Penman gave him a \$2,000 deposit toward his \$10,000 fee to kill Smith. When weeks and months pass and Smith is still alive, she confronts Smothers for answers, demands that the murder be done sooner, not later. Smothers response: "it will be done when the time is right." Smith is arrested on kidnap and rape charges in January before Smothers can kill him.
5. Rose Cobb is killed by Smothers on December 26, 2007.
6. In one of many hearings in Detroit court where Smith represented himself, David Cobb was in the gallery. Smith, he says, as detailed in transcripts, called out Cobb saying "...I refused to kill your wife Officer Cobb, so you and her (Penman) framed me for rape". Cobb left the courtroom and committed suicide days later. Derrick Smith was arrested for kidnapping and rape in January of 2008.
7. In 2019, with Smith serving time in prison, he's presented with rape charges from an alleged assault from 2008.
8. the charges stem from a rape kit collected from an exotic dancer, employed then by the Players Club on 8 Mile Road in Detroit. Smith and a friend of his were in the club and paid for lap dances with the woman who met them outside as she drove her car. Samples match Smith, but the incident, Smith says was not only consensual, the woman/victim solicited "a party" with Smith and his male friend, and, Smith says, she was paid for her services, then she left the scene ( in the vehicle, her vehicle, where sex, the "party" took place )
9. Smith says after he was convicted based on her testimony, he sued the woman in McComb County court where she agreed to tell the truth, that she was not raped.
10. Smith has court documents indicating officer Patricia Penman paid the woman \$4,000 to lie, and claim she was raped.

Smith provided me a copy of a notarized affidavit by Vincent Smothers. In it he provides details of his meetings and money given to him by Officer Penman for the contract killing of Smith.

Smith says he is proceeding in court, and soon, in the media to expose the misconduct that has sent him to prison.

#### Vincent Smothers interview

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At 11 am, I met with Vincent Smothers in the same room for about 45 minutes. It was our first, ever, conversation. His history as a confessed contract killer has been chronicled in dozens of publications, but we have personal history that he isn't aware of until this meeting. I explained that as a television reporter for a Detroit news station, I was in the Wayne County courtroom when Smothers received the sentence of 50-100 years for eight murders. His plea deal did not include the four people that he and an accomplice had gunned down on Runyon Street on Detroit's Eastside, September 17th, 2007. In the months before his court appearance, I did reports on the demonstrations outside of the Frank Murphy Hall of Justice where Devontae Sanfords mother demanded the release of her son. Sanford, at age 14, had allegedly confessed to a role in the Runyon Street killings. Smothers had told police investigators that he and Ernest "Nemo" Davis were the only contract killers involved and that he didn't know Sanford.

In this meeting, our primary discussion covered Smothers' notarized affidavit dated April 18th, 2024. In it, Smothers swears that in 2007 he met with Detroit Police Sgt. David Cobb and Patricia Penman. In our interview he provided details not included in the affidavit:

1. that the meetings took place in vehicles parked in the customer lot of a coney island restaurant on Gratiot Avenue near Gunston in Detroit.
2. that he met several times with them: the first meeting he was alone with Cobb where he heard Cobbs request that Smothers kill his wife because Cobb didn't want to leave her alone after Cobb divorced her.
3. that Penman was the third party in meeting number three. That Penman showed Smothers her badge to prove she was a police officer. Cobb and Penman together spoke of a hit on Smith.

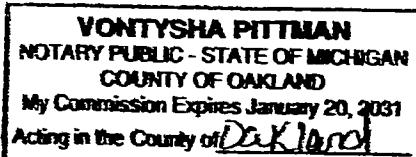
4. that it was Penman who gave Smothers \$2,000 in cash, \$100's, \$50's and \$20's toward his \$10,000 fee to kill Derrick Lee Smith. She showed Smothers documents indicating Smith's criminal history, that he was a bad guy. Smothers' impression: "it was personal".
5. that in the following meeting, two woman were sitting in a car while Penman and Cobb met with Smothers in a separate vehicle. Penman pointed them out as being the woman who would claim Smothers raped her. The other woman would be a witness to create a rape charge against Smothers if he refused to kill Smith.
6. that Penman provided Smothers with photos of Smith and addresses where he could be found and killed.

Smothers said that, with the knowledge that his solicitors were both police, he was constantly fearful that in one of the meetings police cars would "swoop in" and arrest him for other crimes, that this could be a plan to locate him at a time and place for easy arrest. Not until Cobb told him where he would set up Rose at the CVS store did he realize the requests were legitimate.

Smothers said that after the initial meetings in the fall of 2007, Penman grew impatient. She met Smothers to ask why Smith was still alive. Smothers says his answer was "these things happen when the time is right." Smothers said he killed Rose Cobb in December of 2007. Before he could kill him, Smith was arrested on kidnapping and rape charges.



William N. Proctor, interviewer  
CEO, lead investigator Mich # 3701-206540  
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248-421-5900



Mr. Derrick Lee Cardello-Smith  
#267009  
E.C. Brooks Correctional Facility  
2500 S. Sheridan Drive  
Muskegon, MI 49444

12-2-24

Office of the Clerk  
United States District Court  
231 W. Lafayette Blvd  
Detroit, MI 48226

Re: Derrick Lee Cardello-Smith v Sean Combs  
Case No 2:24-12647

Dear Clerk:

Enclosed for filing in the above cause the following documents:

1. PLAINTIFFS SUBMISSION OF INVESTIGATORS REPORT DETAILING WAYNE-DETROIT POLICE DEPARTMENT SERGEANT DAVID COBB AND WAYNE COUNTY DETECTIVE PATRICIA PENMAN'S JOINT HIRING OF HITMAN VINCENT SMOTHERS TO KILL THE PLAINTIFF AS PROOF OF DEFENDANTS EFFORTS TAKEN TO COVER-UP THE DEFENDANTS RAPE UPON THE PLAINTIFF BY DEFENDANT SEAN COMBS
2. INVESTIGATOR WILLIAM (BILL) PROCTORS REPORT (FRONT AND BACK)
3. PROOF OF SERVICE AT BOTTOM OF PAGE

PROOF OF SERVICE

Service has been made upon the defendants attorney of record by US mail on 12-2-24 at their address.

  
Derrick Lee Cardello-Smith

#267009

NAME: Mr. Derrick Lee Cardello-Smith  
Number: #267089  
Address: E.C. Brooks Correctional Facility  
Address: 2500 S. Sheridan Drive  
Address: Muskegon, MI 49444

GRAND RAPIDS MI 493  
2 DEC 2024 PMG L

Mailed on 12-24-24  
Case no 2:24-12647

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